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THE EARLY RECEPTION OF PLINY THE YOUNGER IN TERTULLIAN OF CARTHAGE AND EUSEBIUS OF CAESAREA¹

‘Ah! What avails the classic bent
And what the cultured word,
Against the undoctored incident
That actually occurred?’

Rudyard Kipling, *The Benefactors*

I. INTRODUCTION

In 1967 Alan Cameron published a landmark article in this journal, ‘The Fate of Pliny’s Letters in the Late Empire’.² Opposing the traditional thesis that the letters of Pliny the

¹ I am grateful to the Oxford Late Romanist and Edinburgh Late Antique Seminars for discussions of early versions of this material, and to Kate Cooper and Roy Gibson for their comments on written drafts.

² A. Cameron, ‘The Fate of Pliny’s Letters in the Late Empire’, *CQ* 15 (1965), 289-98; with an addendum in *CQ* 17 (1967), 421-2 (soon to be republished in an amplified version in R. Gibson and C.L. Whitton [edd.], *Oxford Readings in Classical Studies: the Epistles of Pliny* [Oxford, 2016]; I am grateful to Prof. Cameron for allowing me to see this in advance of publication). Cameron’s original article has been supplemented by C.P. Jones, ‘The Younger Pliny and Jerome’, *Phoenix* 21 (1967), 301; F. Trisoglio, ‘S. Girolamo e Plinio il Giovane’, *RSC* 21 (1973), 343-83; H. Savon, ‘Saint Ambroise a-t-il imité? le recueil de lettres de Pline le Jeune?’, *REAug* 41 (1995), 3-17; N. Adkin, ‘The Younger Pliny and Ammianus Marcellinus’, *CQ* 48 (1998), 593-5 (critiquing Cameron); N. Adkin, ‘The Younger Pliny and Jerome’, *RPL* 24 (2001), 31-47; A. Cain, ‘*Liber manet*: Pliny, *Ep.* 9.27.2 and Jerome, *Ep.* 130.19.5’, *CQ* 58 (2008), 708-10 (Cain’s thesis refuted though by N. Adkin, ‘A New Echo of Pliny the Younger in Jerome?’, *Philologus* 155 [2011], 193-5) and B. Gibson and R. Rees,

Younger were only rediscovered in the mid- to late- fifth century by Sidonius Apollinaris,³ Cameron proposed that closer attention be paid to the faint but clear traces of the letters in the third and fourth centuries. On the basis of well-observed intertextual correspondences, Cameron proposed that Pliny's letters were being read by the end of the fourth century at the latest. That article now seems the vanguard of a rise in scholarly interest in Pliny's late antique reception.⁴ But Cameron also noted the explicit attention given to the letters by two earlier commentators – Tertullian of Carthage, in the late second and early third century, and Eusebius of Caesarea, in the early fourth. The use of Pliny in these two earliest commentators,⁵ in stark contrast to their later successors, has received almost no subsequent attention.⁶

'Introduction', in B. Gibson and R. Rees (edd.) *Pliny the Younger in Late Antiquity. Arethusa* 46.2 [Baltimore, MA, 2013], 159-60.

³ As argued by E.T. Merrill, 'The Tradition of Pliny's Letters', *CPh* 10 (1915), 8-25, at 10-11; and repeated in S.E. Stout, 'The Coalescence of the Two Plinys', *TAPhA* 86 (1955), 250-5.

⁴ See in particular the articles in Gibson and Rees (n. 2) and R. Gibson, 'Reading Sidonius by the Book', in G. Kelly and J.A. van Waarden (edd.), *New Approaches to Sidonius Apollinaris* (Leuven, 2013), 195-220.

⁵ Although see the suggestion in T. Barnes, 'The *Epitome de Caesaribus* and its Sources', *CPh* 71 (1976), 258-68, at 260-1, picked up by Cameron in the new recension of his article, that a Plinian parallel in Aurelius Victor, *Epitome de Caesaribus* 12.5 likely derived from the early third-century biographies of Marius Maximus.

⁶ See though the earlier drawn out dispute over the meaning of *gradu pulsus* (*Apol.* 2.6), a phrase added by Tertullian to Pliny's letters in his paraphrase of them, and the basis for potential doubt Tertullian's direct knowledge of the letters, in E.T. Merrill, 'Zur frühen Überlieferungsgeschichte des Briefwechsels zwischen Plinius und Trajan', *Wiener Studien* 31

Such neglect is no doubt due to the perception that these authors' engagement with Pliny is limited. Both knew only two letters, *Letters* 10.96 and 10.97, those concerning the Christians. In fact Eusebius actually knew only Tertullian's paraphrase, though Tertullian knew the originals.⁷ And both (seemingly) only make brief reference to the letters, Tertullian in chapter 2 of his fifty chapter *Apology*, and Eusebius in chapter 33 of the thirty-nine chapter Book 3 of his ten-book *Ecclesiastical History*. Since neither can be shown to have known any more of Pliny's letters, they can add little to our knowledge of the form or date of the collection's reception.⁸ And, since it is still debated whether Pliny ever intended Book 10 to be published, Tertullian and Eusebius' use of letters only from that book has perhaps dampened scholarly enthusiasm.⁹ But I suggest they merit attention for different reasons. Close attention sheds

(1909), 250-258; G.A.T. Davies, 'Tertullian And The Pliny-Trajan Correspondence (Ep. 96)', *JThS* 14 (1913), 407-14 and E.T. Merrill, 'Tertullian on Pliny's Persecution of Christians', *American Journal of Theology* 22.1 (1918), 124-135.

⁷ Cameron (n. 2), 291-2; though see the earlier debate detailed in n. 6 above.

⁸ It is unclear whether Tertullian had read all Pliny's letters, only Book 10, or simply numbers 96 and 97. T. Barnes, *Tertullian: A Historical and Literary Study* (Oxford, 1971), 201, favours the first since he considers Tertullian a second sophistic author capable of having read all Pliny's letters but not referencing them due to disinterest. But the problem remains how Tertullian acquired a copy of the complete letter collection at a time when no one else seems to have been reading it. And the suggestion of Cameron (n. 2), 292, that Tertullian had a strong motive for looking out a copy of Pliny does not of course explain how he knew of it in the first place. Both considerations in my opinion make a florilegium more likely.

⁹ It has traditionally been thought that Book 10 was published posthumously by a third party

light not on the extent to which Pliny's letters were used, but of how and why their readers used them.

It is worth recapping the original letters' contents. In *Letter* 10.96, Pliny writes to the emperor Trajan expressing uncertainty over how to deal with a small number of individuals accused before him as Christians in his recent appointment as governor of Bithynia-Pontus. After listing issues about which he is in doubt (1-2), Pliny walks through his procedure. He has asked those arraigned before him three times if they are Christians, and if they confirm it has sentenced them to death. Though he is unclear about what they are confessing to, he

(Suetonius being the obvious candidate). This is based upon the assumption that Book 10 was a complete collection of Pliny and Trajan's correspondence and that its abrupt end was due to Pliny's death in office (e.g. A.N. Sherwin-White, *The Letters of Pliny: A Historical and Social Commentary* [Oxford, 1966], 82). More recent scholarship has suggested that Pliny edited and published the letters himself; see G. Woolf, 'Pliny's Province', in T. Bekker-Nielsen (ed.) *Rome and the Black Sea Region: Domination, Romanisation and Resistance* (Aarhus, 2006), 93-108; P.A. Stadter, 'Pliny and the Ideology of Empire', *Prometheus* 32 (2006), 61-76; and C. Noreña, 'The Social Economy of Pliny's Correspondence with Trajan', *AJPh* 128 (2008), 239-77. The manuscript tradition is ambivalent since eight, nine and ten book traditions are all evidenced; see further L.D. Reynolds, *Texts and Transmission: a survey of the Latin Classics* (Oxford, 1983), 316-22. That a ten book tradition was extant in antiquity is suggested by Ambrose's letter collection, edited in the late fourth/early fifth century, which echoes Pliny's ten book structure with the tenth containing letters to the emperor (Symmachus' ten book collection was once cited as further evidence, but A. Cameron, *The Last Pagans of Rome* [Oxford, 2011], 366-8, has shown that it was not originally published in the form now extant).

believes such obstinacy merits punishment (3). Any Roman citizens have been sent to Rome (4). When numbers have increased due to anonymous delation, Pliny has tested those who deny being Christian via a sacrifice test (which actual Christians refuse) and then released the proven recanters (5). He is less sure what to do with those who admit being Christians in the past but claimed to have ceased being so, since they point out that being Christian entailed no criminal activity, a claim confirmed by torturing two slave-girls (6-8). He therefore writes for the emperor's advice, advocating leniency for such reformed Christians since it will rectify a decline in the local religious service industry (9-10). In *Letter* 10.97 Trajan affirms Pliny's procedure, noting the difficulties of establishing general rules in such circumstances (1). Christians are not to be sought out, he says, but are to be punished if they are denounced and convicted, and released if they deny it and pass Pliny's sacrifice test (2). He also forbids the use of anonymous accusations.

It is not my purpose here to provide a detailed (re-)interpretation of these letters, but brief treatment is necessary to understand how Tertullian and Eusebius them. I argue elsewhere that *Letter* 10.96 and 10.97 record an inexperienced and overexposed governor's effort, in a provincial backwater with a track record of indicting governors over perceived injustice, to shut down a situation that has shifted under his feet, and a local and limited response from the emperor.¹⁰ The key points for our purposes are as follows. First, Pliny's initial decision to execute Christians is taken despite not understanding exactly what they were admitting to, and before any investigation. Pliny kills those arraigned without much consideration because they are non-citizens, and he considers them a suspicious bunch, guilty of a variety of crimes (clear from the later list of crimes of which Christians prove innocent once he does

¹⁰ Full treatment with bibliography in J. Corke-Webster, 'Trouble in Pontus: The Pliny-Trajan Correspondence on the Christians Reconsidered' [under consideration at *TAPA*].

investigate). Second, Trajan's response is intended simply to help shut down this escalating problem. The knowledge that these individuals refuse to sacrifice to the emperor is sufficient for a death sentence already issued for minor provincial non-citizens. Trajan's response is neither concerned with Christianity *per se* (Christians are not be sought out) nor intended to establish a universal ruling (which he explicitly rules out). Third, there is no strong evidence that Trajan's reply established a precedent. *Letters* 10.96 and 10.97 represent not an ideal judicial process but an *ad hoc* response to local turbulence.

The interpretation of these letters has great historiographical importance. They have been at the heart of the heated debate that has rumbled on since the nineteenth century over the nature and extent of the persecution of the Christians. Specifically, *Letters* 10.96 and 10.97 are fundamental for those who argue that Christians were punished by the Roman authorities simply for the label "Christian" in the period before the so-called Great Persecution of the early fourth century (303-313 A.D.) The specific question at issue has been on what basis Pliny executes Christians; specifically whether he kills them because they bear the Christian 'name', and if so whether that action – or Trajan's affirmation of it – establishes Christianity's "illegality" (as scholarly consensus suggests).¹¹ This is relevant to our purposes because Tertullian's *Apology* is regularly cited as corroborating evidence for the punishment of the illegal Christian 'name'.¹² Or, to put it another way, it is Tertullian's claim that

¹¹ See in particular G.E.M. de Ste Croix, 'Why Were the Early Christians Persecuted?', *Past and Present* 26 (1963), 6-38, and T. Barnes, 'Legislation Against the Christians', *JRS* 58 (1968), 32-50, where the Pliny-Trajan correspondence on the Christians is the central point. For the persistence of this consensus see e.g. J.G. Cook, *Roman Attitudes Toward the Christians: From Claudius to Hadrian* (Tübingen, 2010).

¹² De Ste Croix (n. 11), 9 states explicitly that 'This is quite certain from what the Christian

Christianity stood in its own anomalous legal category, after Trajan's rescript if not before, which current consensus defends.¹³ As we shall see, a proper understanding of the reception of Pliny's letters in Tertullian's *Apology* prevents it being so used. More than that, it is perhaps Tertullian's misleading use of the letter – and Eusebius' exacerbation of it – that prompted the misunderstanding that the original letters established the precedent of Christianity's illegality.

The value of studying this earliest reception of Pliny's letters is thus threefold. First, it will expand our burgeoning knowledge of how and why Pliny was read and used. Second, it will reveal that far from being brief excurses, Pliny's letters play important roles in both Tertullian's *Apology* and Eusebius' *Ecclesiastical History*. It is only by attention to this reception history, I propose, that we can understand the structure and rhetoric of Tertullian's *Apology*, and the particular means by which Eusebius moulds his fourth century vision of Christianity's past interactions with Roman emperors and law. Third, re-reading these earliest readings will liberate the original letters, since a failure to do so up has contributed to a significant misunderstanding of them, one that has had major historical repercussions.

II. PLINY'S IMPORTANCE IN TERTULLIAN'S *APOLOGY*

The earliest known reader of Pliny's *Letters*, Tertullian of Carthage, is one of the most

Apologists say in the second and early third centuries, from several accounts of martyrdoms, and from the technical language used by Pliny and Trajan in their celebrated exchange of letters'. Included in his references is Tert. *Apol.* 1-3. Similarly Barnes (n. 11), 37 n. 52 cites Tert. *Apol.* 2.17.

¹³ Again see most notably de Ste Croix (n. 11), 10, 20; Barnes (n. 11), 48.

vociferous voices in extant early Christian literature. This North African rottweiler's most famous text is perhaps his *Apology*, written in 197 or soon after,¹⁴ a treatise addressed to Roman magistrates protesting their unjust treatment of Christians.¹⁵ This vituperative treatise has never been short of attention, but little of that scholarly energy has been directed at the brief paraphrase of Pliny and Trajan's letters in the second chapter. Tertullian seems to cite

¹⁴ For dating see Barnes (n. 8), 34-5. The genesis of the *Apology* and its relationship to Tertullian's *To the Nations* is still discussed, in particular the theory advocated by C. Becker, *Tertullians Apologeticum. Werden und Leistung* (Munich, 1954) that there were three drafts of the material for the *Apology*, of which the first was the summary *To the Gentiles*, the second a first draft preserved in the so-called *Fragmentum Fuldense*, and the third the final extant version: see further Barnes (n. 8), 239-41.

¹⁵ The actual audience is debated. Though addressed to Roman magistrates most scholars believe the *Apology* was intended either for a broader pagan audience or for Christians. This follows recent discussions of genre and audience of early Christian apologetic more generally; see M. Edwards, M. Goodman, S. Price and C. Rowland, 'Introduction: Apologetics in the Roman World', in M. Edwards, M. Goodman and S. Price (edd.) *Apologetics in the Roman Empire: Pagans, Jews and Christians* (Oxford, 1999), 1-14; A. Cameron, 'Apologetics in the Roman Empire - A Genre of Intolerance?', in L.C. Ruggini, J-M Carrié and R. Lizzi (edd.), *Humana sapit: études d'Antiquité tardive offertes à Lellia Cracco Ruggini* (Turnhout, 2002), 219-27; A-C. Jacobsen, 'Apologetics and Apologies – Some Definitions', in J. Ulrich, A.-C. Jacobsen and M. Kahlos (edd.) *Continuity and Discontinuity in Early Christian Apologetics* (Frankfurt am Main, 2009), 5-22 and J. Lieu, 'Jews, Christians and "Pagans" in Conflict', in A.-C. Jacobsen, J. Ulrich, and D. Braake (edd.) *Critique and Apologetics. Jews, Christians and Pagans in Antiquity* (Frankfurt am Main, 2009), 43-58.

the letters merely by way of example. But close attention to their inclusion in the light of our growing understanding of the *Apology*'s form and function indicates, I suggest, that it plays a programmatic rather than a passing role.

Attention to the *Apology*'s form reveals the significance of chapter 2's position. Though Tertullian is no longer considered a jurist,¹⁶ scholars remain in agreement that the *Apology*, with its focus on judicial procedures against Christians,¹⁷ is a piece of traditional Roman forensic rhetoric.¹⁸ Thus this work is read as falling into the traditional *exordium* (1-3),

¹⁶ Established by Barnes (n. 8), 22-9; see too the nuancing of D.I. Rankin, 'Was Tertullian a Jurist?', *Studia Patristica* 31 (1997), 335-42.

¹⁷ Claiming unjust treatment was also characteristic of Greek apologetic literature, but Tertullian replaces much of the standard systematic explication of Christian doctrine with forensic discussion. See e.g. S. Price, 'Latin Christian Apologetics: Minucius Felix, Tertullian, and Cyprian', in Edwards, Goodman and Price (n. 15), 105-29, at 120-1.

¹⁸ R. Heinze, *Tertullian's Apologeticum* (Leipzig, 1910) initially suggested that Tertullian refashioned the earlier Greek apologists' material in line with Roman forensic practice, a theory J. Lortz, *Tertullian als Apologet*, 2 vols. (Münster, 1927-8) affirmed. The thesis has been picked up by Becker (n. 14), R.D. Sider, *Ancient Rhetoric and the Art of Tertullian* (Oxford, 1971), J.-C. Fredouille, *Tertullien et la conversion de la culture antique* (Paris, 1972), Barnes (n. 8), M.S. Burrows, 'Christianity in the Roman forum. Tertullian and the apologetic use of history', *VChr* 42 (1988), 209-35, and G. Eckert, *Orator Christianus, Untersuchungen zur Argumentations-kunst in Tertullians Apologeticum* (Stuttgart, 1993). For a dissenting voice see P. Keresztes, 'Tertullian's Apologeticus: A Historical and Literary Study', *Latomus* 25 (1966), 124-33, arguing that the *Apology* employs epideictic rather than forensic rhetoric; for convincing rebuttals see L.J. Swift, 'Forensic rhetoric in Tertullian's

partitio and *propositio* (4.1-2), *refutatio* (4-45) and *peroratio* (46-50) structure of Roman forensic rhetoric.¹⁹ This implies that Tertullian has included no *narratio* (where advocates set out the specific details of the case). Robert Sider for example comments that ‘There is, on the one hand, no distinct and obvious narrative, for it is part of his [Tertullian’s] plan to insist that there is no story to be told...’.²⁰ But it is in fact at the point in the sequence where a *narratio* would fit that Tertullian inserts Pliny and Trajan’s missives (2.6-9).²¹ I suggest that this is no coincidence. Tertullian inserts a concrete example of Christians in court at precisely the point a Graeco-Roman audience would expect a *narratio*. The Pliny-Trajan correspondence provides a pseudo-*narratio*, and the audience is encouraged to read it as such.²²

Apologeticum’, *Latomus* 27 (1968), 864-77; Sider (n. 18), 6 n. 1, responding to P. Keresztes, ‘Justins und Tertullians Apologien. Eine rhetorische Untersuchung’ (Diss., Karl-Franzens-Universität zu Graz, 1963), and G. Dunn, ‘Rhetorical Structure in Tertullian’s “Ad Scapulam”’, *VChr* 56 (2002), 47-55, at 49-50.

¹⁹ See first Heinze (n. 18), 13, 21-3, 296, echoed in Sider (n. 18), 21-3.

²⁰ Sider (n. 18), 23. Sider sees instead an ‘ironic inversion of the normal narrative’ involving a concise summary of charges (2.4) and a narrative of how the good man may face trial (3).

²¹ Strangely, work on Tertullian’s rhetoric has rarely extended to his use of the Pliny-Trajan correspondence, although Davies (n. 6) uses the rhetorical qualities of the *Apology* to argue that Tertullian did use the original letters.

²² Tertullian demonstrates flexibility and innovation with form in his introductory sections elsewhere. See Sider (n. 18), 28-9 on how he often merges *exordium* and *narratio*.

Read thus, the Pliny-Trajan correspondence becomes fundamental to the whole *Apology*.²³ That importance can be observed both linguistically and structurally. First, for example, Tertullian's discussion of the spread of Christianity in the *Apology*'s very first chapter is clearly dependent on Pliny's letter. Tertullian's observation that pagans 'shout that the city is besieged - Christians in the farms, in the garrisons, in the islands' (*obsessam vociferantur civitatem; in agris, in castellis, in insulis Christianos, Apology 1.7*),²⁴ clearly echoes the parting salvo of Pliny's letter to Trajan that, 'The contagion of this superstition has spread through not only the cities but also the villages and farms' (*neque civitates tantum, sed vicos etiam atque agros superstitionis istius contagio pervagata est, Letter 10.96.9*).²⁵ So too Tertullian's phrase 'they speak sadly of every sex, age, situation, even rank switching allegiance over this name as if it were a defeat' (*omnem sexum, aetatem, condicionem, etiam dignitatem transgredi ad hoc nomen quasi detrimento maerent, Apology 1.7*) parallels Pliny's, 'For many of every age, of every rank and even both sexes are being brought and will continue to be brought to trial' (*multi enim omnis aetatis, omnis ordinis, utriusque sexus etiam vocantur in periculum et vocabuntur, Letter 10.96.9*).²⁶ Since this comes in chapter 1,

²³ Moreover the treatise is addressed to Roman magistrates – to governors, according to Price (n. 17), 109 – calling for modified treatment of Christians. But the only actual officials mentioned are Pliny and Trajan, again positioning their behaviour as representative.

²⁴ Translations my own throughout. Latin text from T.R. Glover, *Tertullian. Apology; De Spectaculis* (London, 1931).

²⁵ Latin text from R.A.B Mynors, *C. Plini Caecili Secundi. Epistularum libri decem* (Oxford, 1963).

²⁶ It is tempting to see a parallel as well between the ensuing discussion in Pliny of deserted temples, neglected rites and unsold sacrificial food (*Epist. 10.96.10*) and Tertullian's assurances that Christians contribute to the Empire's business interests (*Apol. 42*, esp.

before the explicit treatment of the Pliny-Trajan correspondence in chapter 2, the linguistic influence of the latter clearly extends beyond the chapter where it is used as an example.²⁷

Second, the *Apology*'s structure may also derive from the Pliny-Trajan correspondence. The *Apology*'s lengthy *refutatio* is in two sections. In the first (7-9) Tertullian treats accusations of Christians' hidden crimes (*occultorum facinorum*, *Apology* 6.11), primarily cannibalism and incest; in the second (10-45) the manifest crimes (*manifestioribus*, *Apology* 9.20), sacrilege and treason, which both stem from a refusal to sacrifice (see too *Apology* 3.2). This purely forensic division cannot however explain the uncharacteristic disproportionate length of the two sections.²⁸ But the two sections also correspond to the vague actions of which Pliny originally suspected Christians, and then their actual failure to sacrifice that motivates Trajan's response.²⁹ Tertullian's very brief dismissal of the hidden crimes is merited because such accusations were dismissed by Pliny and ignored by Trajan.³⁰ Tertullian notes a lack of

sections 2, 5 and 8).

²⁷ In addition, note the recurrence of *obstinatio* in the *Apology* (e.g. *Apol.* 27.2 and 7, 50.15), most likely evoking that term's centrality in the Pliny-Trajan correspondence.

²⁸ Neither can alternative explanations; see e.g. T. Georges, 'Occultum and manifestum: Some Remarks on Tertullian's Apologeticum', in Ulrich, Jacobsen and Kahlos (n. 15), 35-48, who suggests that the division is prompted by a theological logic of revelation. On Tertullian's preference for symmetry see R.D. Sider, 'On Symmetrical Composition in Tertullian', *JThS* 24 (1973), 405-23.

²⁹ It is tempting to read the reference to hidden crimes as a sarcastic double reference not only to their supposed secret nature but also Pliny's inability to find any evidence for them when he eventually investigates.

³⁰ See Heinze (n. 18), 319-30; Sider (n. 18), 45-9; Eckert (n. 18).

evidence (7.3-7) and that the accusations had arisen from rumour alone (7.8-13), both of which reflect the Plinian situation. Tertullian's discussion of the manifest crimes however, where he admits the fact of Christians not sacrificing but questions whether it is either sacrilege (10-28) or treason (29-43), takes up the majority of the *Apology*. In fact he recognizes that 'This is the primary matter; no, more than that, it is the whole matter' (*summa haec causa, immo tota est, Apology* 10.1). And of course failure to sacrifice and suspicion of unrest underlie Pliny and Trajan's treatment of Christians. The *Apology*'s structure too may therefore derive from the Pliny-Trajan correspondence.

This earliest use of Pliny's *Letters* is thus no passing mention. Rather, the influence of *Letters* 10.96 and 10.97 permeates both the language and the structure of Tertullian's *Apology*. This seminal early Christian text indicates that even if we cannot show an extensive knowledge of Pliny's works in this period, we do have evidence that some of those that did engage with them did so in detail and with sophistication. To underestimate the significance of Pliny here is to misunderstand the entire *Apology*. As it turns out, that misunderstanding has led to a misreading of the original letters themselves.

III. THE FORENSIC LOGIC OF TERTULLIAN'S *APOLOGY*

Tertullian repeatedly claims that Christians were targeted by Roman authorities simply for being called 'Christians'. That has in turn been used as corroborating evidence for the modern consensus on the original Pliny-Trajan correspondence, namely that it testifies to Roman condemnation of Christians simply for their name.³¹ There is a certain circularity to this argument, since Tertullian was writing the *Apology* in full knowledge of the Pliny-Trajan

³¹ See above [n12].

correspondence and cites the correspondence in support of precisely this point, and thus cannot really be said to provide independent evidence for it. But the evidence cited above that suggests the programmatic importance of Pliny's *Letters* to the *Apology* demands that we consider a further possibility. I propose that the Pliny-Trajan correspondence is not merely cited as an example of Tertullian's contention that the Christian name itself was illegal, but was the entire basis for it.

We have already encountered one trend in scholarship on the *Apology*, namely the growing appreciation of the importance of forensic rhetoric. The second, and more recent, is the increasing agreement that the *Apology* showcases Tertullian at his more assimilationist, promoting not only Christians' innocence but their value to Roman society.³² His characteristic biting wit is used to ridicule the idea that Christians were capable of evil or disloyalty. This in turn indicates how Tertullian employs forensic rhetoric to demonstrate the illogicality of judicial proceedings against Christians. The *Apology* is designed not to accurately represent Roman procedure against Christians but to suggest that, since the latter are innocent, judicial proceedings against them must be ridiculous.

³² Scholarly consensus sees in the *Apology* a more conciliatory and accommodationist tone than elsewhere in Tertullian's corpus, in which his attitude towards Rome and its Empire varies considerably. See Barnes (n. 8), 136, 218-9; E.A. Isichei, *Political Thinking and Social Experience. Some Christian interpretations of the Roman Empire from Tertullian to Salvian* (Canterbury, 1964), 30-1; Burrows (n. 18); E. Osborn, 'Tertullian as Philosopher and Roman', in B. Aland and C. Schäublin (edd.), *Die Weltlichkeit des Glaubens in der Alten Kirche. Festschrift für Ulrich Wickert zum siebzigsten Geburtstag* (Berlin and New York, 1997), 231-47.

Tertullian's overriding criticism of Roman judicial procedures is that Christians are treated differently from other criminals. I focus here on three of his specific complaints: the wilful ignorance of magistrates and their preference for rumour over investigation; the oddity of not searching out Christians; and the incongruence of punishing on the basis of name alone.³³ All three, I suggest, stem from the Pliny-Trajan correspondence. Tertullian has noticed the incongruities of Pliny's judicial procedure and Trajan's *ad hoc* response. By putting the specifics of this case in the position one would normally expect a *narratio* Tertullian can extrapolate universal legal principles from this local case in order to ridicule Roman judicial proceedings against Christianity.³⁴

First, Tertullian complains that Roman magistrates are ignorant about Christianity (*Apology* 1.1-6; see also 2.19, 3.1-2, 8, 16.1-4, 9-10, 12, 40.1). More galling, this ignorance is wilful. Judges make little effort to learn more, trusting instead to the doubtful reliability of rumour (*Apology* 1.8-9; see also 3.8, 4.11-13, 7.1-2, 8-13, 16.13). This complaint underlies the whole *Apology*. That it derives from the Pliny-Trajan correspondence is apparent from its initial appearance immediately after the passage describing the spread of Christianity, discussed above, that borrows from Pliny's description of the same. Immediately after noting that pagan

³³ His other recurring criticisms include the authorities' willingness to accept a simple denial without further questions in Christians' cases alone (*Apol.* 2.13-17, 7.2, 27.3, 28.1) and that while other criminals are tortured for a confession, only Christians are tortured for a denial (*Apol.* 2.10-17, 27.2, 30.7).

³⁴ Tertullian's insistence that Christians' trials were prejudiced by the hatred of the masses (e.g. *Apol.* 4.1, 37.2, 49.4, 50.12), relatively distinctive among Christian apologetic, also accords with the importance of the common people's (mis)use of multiple anonymous accusations in the Pliny-Trajan correspondence (e.g. *Epist.* 10.96.4-5).

commentators consider that spread a bad thing, Tertullian continues, ‘and in precisely this matter however they do not stir their minds to look for any hidden benefit. They are not allowed to suppose more correctly, and they do not want to test it more thoroughly. Only here does human curiosity grow numb. When others rejoice to have learned, they love to be ignorant’ (*nec tamen hoc ipso ad aestimationem alicuius latentis boni promovent animos. non licet rectius suspicari, non libet prop[r]ius experiri. hic tantum curiositas humana torpescit: Amant ignorare, cum alii gaudeant cognovisse, Apology 1.8-9*). After echoing Pliny’s exact phrasing, Tertullian complains that those who express such opinions fail to correct their ignorance.

That the Pliny-Trajan correspondence clearly lies behind Tertullian’s general complaint about Roman failure to investigate becomes clearer in chapter 2. Pliny’s letter to Trajan began with exactly such a claim of ignorance (*Letter 10.96.1*) and Pliny had resorted to execution before any investigation. This is the catalyst for Tertullian’s paraphrase of the correspondence in chapter 2. Normally, Tertullian notes, ‘Roman judicial officials are not ‘content with just pronouncing sentence’ (*contenti sitis ad pronuntiandum, Apology 2.4*); first a thorough investigation must be conducted. ‘Nothing like this for us’ (*de nobis nihil tale, Apology 2.5*), crows Tertullian; instead ‘even inquiry into us is forbidden’ (*inquisitionem quoque in nos prohibitam, Apology 2.6*). Tertullian implies that Pliny’s procedure, sentencing first and investigating second, is the Roman norm. Tertullian’s claim was of course patently false – inquiry was never forbidden. And modern scholars have rightly paid no heed to Tertullian on this point. But it is made in the exactly same way as the claim that Christians are killed for the name alone, which scholars have appropriated and even bent their conceptions of Roman law to accommodate.

Second, Tertullian argues that Christians are unique among criminals in not being sought out. This too derives from the Pliny-Trajan correspondence. Picking up on Trajan's unusual opening gambit that Christians are not to be sought out Tertullian says, 'What an inherently confusing judgement' (*o sententiam necessitate confusam*, *Apology* 2.8). He further mocks the emperor's judgement because 'it forbids them to be sought after, like innocent men, and orders that they be punished, like guilty men' (*negat inquirendos ut innocentes et mandat puniendos ut nocentes*, *Apology* 2.8). This, I suggest, grows directly out of Trajan's unusual opening gambit that the Christians are not to be sought out. Tertullian is correct that if Christianity were illegal and a grave concern to the Romans this procedure is utterly illogical. But if Trajan were merely trying to shut down an escalating provincial problem, this injunction was eminently sensible. Again, Tertullian is mocking the letters by extrapolating a universal legal principle from the context-specific measure in Bithynia-Pontus.³⁵

Third, the most enduring of Tertullian's complaints about Christianity's unique treatment, that 'there is a charge of the name alone' (*solius nominis crimen est*, *Apology* 2.20). This phrase has enforced readings of the Pliny-Trajan correspondence as affirming or establishing that Christianity itself was illegal. But we are now in a position to understand the rhetorical role the 'name alone' claim serves. It must be read in the same way as Tertullian's other criticisms of Roman judicial procedure. As with both the claim that magistrates embraced ignorance and were forbidden to investigate, and that Christians were criminals but could not be sought out, it is a mocking exaggeration drawn from the unusual procedure of the Pliny-Trajan correspondence, the single case study that underlies the *Apology*.

³⁵ This procedural complaint does not recur frequently in the *Apology*, but Tertullian does note imperial ambivalence towards Christians at a number of other points (*Apol.* 5.2, 5-7, 6.10, 21.24, 30.1-2).

Close attention to the *Apology* reveals how closely the ‘name alone’ claim is connected to Tertullian’s other exaggerated procedural complaints about Christians’ anomalous treatment. It first appears because Tertullian is complaining of the injustice of Roman hatred for Christians. That hatred is, he contends, the direct result of the ignorance of which he complains throughout (*Apology* 1.4). Pagans have to hate the name because they know nothing else about Christianity. Hatred of a thing requires knowledge of it (*Apology* 1.5), otherwise you are merely hating the word itself, which is laughable (see also *Apology* 3.5, 4.11). The Christian name thus first appears in the *Apology* as the absurd logical conclusion of Roman irrational hatred. That same point is reiterated in its second appearance in chapter 2’s pseudo-*narratio* (*Apology* 2.3), and there leads into Tertullian’s complaint about insufficient investigation. Since only hatred is necessary for condemnation if no investigation is made, Tertullian concludes that only confession of the name is at issue. But in the same way investigation was not actually forbidden, neither was the Christian name actually illegal.

In fact the issue of the name alone regularly comes up precisely in the context of Tertullian claiming anomalous treatment (for example *Apology* 2.11, 3.6-8, 4.4, 44.2-3). This is clearest when he says, ‘Since you are disposed differently towards us than the other criminals in every way... you can conclude that it is not the symptom of some crime, but the name!’ (*cum igitur in omnibus nos aliter disponitis quam ceteros nocentes... intellegere potestis non scelus aliquod in causa esse, sed nomen*, *Apology* 2.18). That the Christian name in and of itself must be illegal is Tertullian’s triumphant logical conclusion on the basis of the oddities in what he claims was universal Roman procedure with Christians; a universal procedure extrapolated from the context-specific solution of Pliny and Trajan whose limitations Tertullian was ruthlessly exploiting.

Moreover, this claim takes the debate onto the eschatological level.³⁶ The generalizations about Roman judicial procedure build to this. Christians are believed guilty of numerous crimes like other criminals, but only with Christians do the authorities embrace ignorance, make no investigation, and insist on not actively seeking them (claims all derived from the Pliny-Trajan correspondence). By claiming Pliny and Trajan's procedure as universal Tertullian has constructed a ridiculous and patently unjust picture of Roman judicial procedure. From there it is only one step to suggest that such wilful injustice can only be demonically inspired (see too *Apology* 2.14, 23.13-14, 27.4-7, 28.1). It is the devil that wants Christians to die simply for being Christians, and who has corrupted the Roman judicial system to achieve that end.

So they believe about us things which are not proven, and do not want to examine them, lest these things which they would rather believe are proven not to be true, in order that our name, the enemy of that rival Providence [i.e. the demonic], because of crimes presumed but not proven, be damned by our confession alone. So, confessing we are tortured, remaining steadfast we are punished, and denying we are absolved, because the battle is about a name!

ideo et credunt de nobis quae non probantur et nolunt inquire, ne probentur non esse quae malunt credidisse, ut nomen illius aemulae rationis inimicum praesumptis, non probatis criminibus de sua sola confessione damnetur. ideo torquemur confitentes et punimur perseverantes et absolvimur negantes, quia nominis proelium est.

Apology 2.19

³⁶ On the eschatological aspects of the *Apology* see Burrows (n. 18), 214, 228-9.

Tertullian's *Apology* cannot therefore be used as an independent commentary on the original Pliny-Trajan correspondence, because those letters inspire its entire critique of the Roman legal system. By using this provincial anecdote as a pseudo-*narratio* in a supposed appeal to Rome's magistrates about the treatment of Christians throughout the Empire, Tertullian can ridicule Rome's legal procedure by implying that what was only ever a one-off solution to a local problem was actually reasoned judicial procedure.³⁷ Parts of that rhetoric are obviously sarcastic – no one would now believe, for example, that investigation was forbidden. But scholars have defended the parallel claim that Christians were in their own legal category after Trajan. This earliest commentary on the Pliny-Trajan correspondence is thus responsible for the ongoing misunderstanding of the letters themselves.

IV. THE INHERITANCE OF PLINY AND TERTULLIAN IN EUSEBIUS OF CAESAREA'S *ECCLESIASTICAL HISTORY*

Tertullian's misleading use of the Pliny-Trajan correspondence prompted a chain of reception. His use of Pliny was appropriated by Eusebius of Caesarea, the self-proclaimed first church historian, who includes the letters in the third book of his early fourth century *Ecclesiastical History* as part of a survey of Christian activity under the emperor Trajan (*EH* 3.21.1-4.3.1). He makes no claim to have read either *Letters* 10.96 and 10.97 or even Tertullian's *Apology* in Latin, but instead possessed a Greek translation of the latter,³⁸ which he first paraphrases

³⁷ Tertullian was himself a provincial looking in; see especially D.E. Wilhite, *Tertullian the African. An Anthropological Reading of Tertullian's Context and Identities* (Berlin, 2007).

³⁸ Eusebius likely inherited this translation: E. Carotenuto, 'Six Constantinian Documents (Eus. 'H.E.' 10, 5—7)', *VChR* 56 (2002), 56-74, at 71-2, thinks it improbable that Eusebius produced his own translations from Latin. He only claims to do so on one occasion (*EH*

and from which he then quotes.³⁹

As with Tertullian, despite the abundance of scholarship on the *Ecclesiastical History* Eusebius' use of Pliny has generated no detailed treatment.⁴⁰ In part this reflects a long-standing tradition of treating Eusebius as a kind of magpie historian, useful mainly for his collection of ancient textual titbits that would not otherwise survive.⁴¹ Since we do not rely

4.8.8); elsewhere, as here, he simply says 'the translation goes like this' (ἡ ἐρμηνεία τοῦτον ἔχει τὸν τρόπον, *EH* 3.33.3). On Eusebius' haphazard use of Tertullian see Barnes (n. 8), 5-6.

³⁹ On Eusebius' citation technique see E. Carotenuto, *Tradizione e innovazione nella Historia Ecclesiastica di Eusebio di Cesarea* (Bologna, 2001) and S. Inowlocki, *Eusebius and the Jewish Authors: His Citation Technique in an Apologetic Context* (Leiden, 2006), esp. 33-73.

⁴⁰ As representative examples, the Pliny-Trajan correspondence receives one mention in both H. Attridge and G. Hata, (edd.) *Eusebius, Christianity and Judaism* (Leiden, New York and Köln, 1992), 662, and the seminal T. Barnes, *Constantine and Eusebius* (Cambridge, MA and London, 1981), 137, and does not feature in the recent narratological study of M. Verdoner, *Narrated Reality: the Historia ecclesiastica of Eusebius of Caesarea* (Frankfurt am Main, 2011). An exception is the excellent recent dissertation of D. DeVore, 'Greek Historiography, Roman Society, Christian Empire: The Ecclesiastical History of Eusebius of Caesarea' (Diss., University of California, Berkeley, 2013), 202-4, which briefly discusses Eusebius' positive portrayal of Pliny and Trajan.

⁴¹ This view was born both of more simplistic views of ancient historiography as straightforwardly representative, and a desire to save the *Ecclesiastical History* from any original input from an author suspected of heresy. It was lent extra impetus in the twentieth-century by Barnes (n. 40), who successfully demonstrated that Eusebius wrote independent of Constantinian influence, allowing a rehabilitation of Eusebius's integrity against suspicion of

on Eusebius for Pliny's survival, his use in this regard is minimal. But the last decade or so has witnessed a sea change in scholarly treatments of Eusebius. The lack of interest in his active role in his texts has been replaced by an appreciation of his skill as editor and composer,⁴² and a burgeoning comprehension of what his *Ecclesiastical History* was designed to achieve.⁴³ This changing perception of Eusebius suggests that this second Plinian

him as imperial apologist, most famously expressed by J. Burckhardt, *Die Zeit Constantin's des Grossen* (Leipzig, 1853 [rep. 1898]), e.g. at 326.

⁴² This was prompted by a number of publications designed to rehabilitate Eusebius' other neglected writings; see e.g. A. Kofsky, *Eusebius of Caesarea against Paganism* (Leiden and Boston, 2000); A. Johnson, *Ethnicity and Argument in Eusebius' Praeparatio Evangelica* (Oxford, 2006); Inowlocki (n. 39); J.M. Schott, *Christianity, Empire, and the Making of Religion in Late Antiquity* (Philadelphia, 2008); and S. Morlet, *La 'Démonstration évangélique' d'Eusèbe de Césarée: Étude sur l'apologétique chrétienne à l'époque de Constantin*, Série Antiquité 187 (Paris, 2009). On Eusebius' exegetical work see M. Hollerich, *Eusebius of Caesarea's Commentary on Isaiah: Christian Exegesis in the Age of Constantine* (Oxford, 1999).

⁴³ Where the recent edited collection of S. Inowlocki and C. Zamagni, (edd.) *Reconsidering Eusebius: Collected Papers on Literary, Historical and Theological Issues* (Leiden and Boston, 2011) excludes the *Ecclesiastical History*, A. Johnson and J. Schott, (edd.) *Eusebius of Caesarea: Traditions and Innovations* (Cambridge, MA, 2013) includes three pertinent articles: D. DeVore, 'Genre and Eusebius' *Ecclesiastical History*: Toward a Focused Debate', J. Corke-Webster, 'Mothers and Martyrdom: Familial Piety and the Model of the Maccabees in Eusebius of Caesarea's *Ecclesiastical History*' and E.C. Penland, 'The History of the Caesarean Present: Eusebius and Narratives of Origen'. See too the introductory volume, A. Johnson, *Eusebius* (London, 2013).

commentator might have made no less innovative or surprising use of the *Letters*' contents than the first. Both Eusebius' paraphrase of Pliny and Trajan's exchange and his careful framing of the Greek translation of Tertullian take the latter's appropriation of the *Letters* a step beyond both their authors' and their first commentator's intentions.⁴⁴

Eusebius was writing in Caesarea in the eastern half of the Empire in the first quarter of the fourth century,⁴⁵ for an elite audience that, while Christian, was culturally Greek and steeped in traditional Roman values.⁴⁶ His *Ecclesiastical History* was a stylized vision of the

⁴⁴ On Eusebius' capacity to cite material while ignoring its original author's motivations or overall thesis see D. Gonnet, 'L'acte de citer dans *l'Histoire ecclésiastique*', in B. Pouderon and Y-M. Duval (edd.) *L'historiographie de l'église des premiers siècles* (Paris, 2001), 181-93, at 188-9.

⁴⁵ The dating of the *Ecclesiastical History* has been much debated. The consensus position remains that it was produced between 313 and 326 in series of editions, but was largely complete by 316; see R. Burgess, 'The Dates and Editions of Eusebius' *Chronici Canones* and *Historia Ecclesiastica*', *JTS* 48.2 (1997), 471-504. More recently one edition hypotheses with a later dating have been proposed by V. Neri, 'Les éditions de l'Histoire ecclésiastique (livres VIII-IX): bilan critique et perspectives de la recherche', and M. Cassin, M. Debié, and M-Y. Perrin, 'La question des éditions de l'Histoire ecclésiastique et le livre X', both in S. Morlet & L. Perrone (eds.) *Eusèbe de Césarée. Commentaire, vol. 1: Études d'introduction* (Paris, 2012), 151-83, but critiqued by D. DeVore in his review in *ZAC* 18 (2014), 138-42; see too Johnson (n. 43), 104-112.

⁴⁶ See M. Verdoner, 'Überlegungen zum Adressaten von Eusebs *Historia ecclesiastica*', *ZAC* 14 (2010), 362-78, demonstrating the *Ecclesiastical History*'s repeated assumption of its readership's familiarity with and approval of Christian texts and concepts indicates a

Christian past tailored to that audience and his own deep commitment to the fundamental compatibility of church and Empire.⁴⁷ For Eusebius, Christianity's interests had always been aligned with that of the Empire and its best representatives.⁴⁸ His use of the Pliny-Trajan correspondence, I argue, reflects that wider purpose. All elements of Tertullian's angry rhetoric have disappeared. Eusebius instead claims the letters as evidence of Roman desire to protect Christians. He, like Tertullian, also suggests misleadingly that the letters reflect wider Roman practice, but here they establish a precedent of Roman legal toleration of Christians. I will consider these three points in order.

First, Eusebius presents a rose-tinted picture of Pliny's attitude towards Christians. Pliny's original assertion that whatever the nature of the admission to be Christian, 'stubbornness and inflexible obstinacy definitely ought to be punished' (*pertinaciam certe et inflexibilem obstinationem debere puniri*, Letter 10.96.3), had already become in Tertullian's *Apology* the milder statement that Pliny found nothing about the Christians to complain about except an 'obstinate refusal to sacrifice' (*obstinationem non sacrificandi*, *Apology* 2.6). In the Greek translation of the *Apology* Eusebius preserves this had become 'their desire not to worship idols' (τοῦ μὴ βούλεσθαι αὐτοὺς εἰδωλολατρεῖν, *EH* 3.33.3).⁴⁹ But Eusebius' own paraphrase

Christian readership. But elite fourth-century Christians would have thought of themselves not simply as Christians, but simultaneously as Roman citizens and residents of the culturally and intellectually Greek east.

⁴⁷ See e.g. Corke-Webster (n. 43).

⁴⁸ See for example Tiberius' favourable reaction to Christianity (*EH* 2.2.1-6). I will consider Eusebius' treatment of Christian interaction with Roman legal authorities in more detail in a forthcoming monograph.

⁴⁹ Greek text from G. Bardy, *Eusèbe de Césarée, Histoire ecclésiastique*, 3 vols. (Paris, 1952-

of the correspondence simply omits the complaint, never mentioning what Christians were punished for. Pliny's evident disdain for the Christians, muted in Tertullian, has disappeared entirely in Eusebius.

Similarly, Eusebius interpolates legal language into his description of Pliny's discussion of Christians in order to suggest not only that Christians were innocent under Roman law but to claim Pliny as a witness to that innocence. Reporting the results of Pliny's (eventual) investigation, Tertullian's *Apology* had claimed that Pliny 'had found out nothing else about their mysteries' (*nihil aliud se de sacramentis eorum comperisse, Apology 2*), and the Greek translation that 'he had found nothing unholy in them' (οὐδὲν ἀνόσιον ἐν αὐτοῖς εὐρηκέναι, *EH 3.33.3*). Eusebius' paraphrase instead reads, 'he had grasped that they did nothing profane and nothing against the laws' (μηδὲν ἀνόσιον μηδὲ παρὰ τοὺς νόμους πράττειν αὐτοὺς κατεληφέναι, *EH 3.33.1*). Again, Tertullian's phrase about a Christian oath 'forbidding murder, adultery, fraud, treachery and other crimes' (*homicidium adulterium fraudem perfidiam et cetera scelera prohibentes, Apology 2.6*), which in the Greek translation had become 'to forbid murder, adultery, fraud, treachery and similar things to these' (κωλύεσθαι φονεύειν, μοιχεύειν, πλεονεκτεῖν, ἀποστερεῖν καὶ τὰ τούτοις ὅμοια, *EH 3.33.4*), becomes in Eusebius' words, 'they renounced the acts of adultery, murder and unlawful trespasses related to these, and did everything in accordance with the laws' (τὸ δὲ μοιχεύειν καὶ φονεύειν καὶ τὰ συγγενῇ τούτοις ἀθέμιτα πλημμελήματα καὶ αὐτοὺς ἀπαγορεύειν πάντα τε πράττειν ἀκολούθως τοῖς νόμοις, *EH 3.33.1*). Eusebius' readers get the impression that Pliny's letter asserts Christianity's legal innocence.⁵⁰

1958).

⁵⁰ Eusebius had introduced his readers to Tertullian as an authority on Roman law (*EH 2.2.4*) in order that quotations from Tertullian serve as narrative markers of credible legal points. On

Second, Eusebius goes further by implying that the Pliny-Trajan correspondence was designed to protect Christians. The chapter heading for this anecdote reads, ‘How Trajan forbade the Christians to be sought after’ (Ὅπως Τραιανὸς ζητεῖσθαι Χριστιανούς ἐκώλυσεν, *EH* 3.33).⁵¹ The summary that follows spells this out. Eusebius states that Pliny, ‘a most distinguished governor’ (ἐπισημότατον ἡγεμόνων, *EH* 3.33.1), was prompted to write because he was disturbed by the large numbers of Christians dying (*EH* 3.33.1; the preceding context in *EH* 3.32.1 makes clear this is due to mob activity), before immediately turning to Pliny’s discussion of Christianity’s innocent practices. Similarly he gives Trajan’s response before immediately noting that the effect was to check the violence. The implication is that this was Trajan’s primary intention (*EH* 3.33.3).⁵² Trajan has become in Eusebius an emperor trying to legally protect the Christians.⁵³

Eusebius’ stress on the authority of his sources see B. Gustafsson, ‘Eusebius’ Principles in handling his Sources, as found in his Church History, Books I-VII’, *Studia Patristica* 4 (1951), 429-41, at 436; and Gonnet (n. 43), 186.

⁵¹ The chapter headings are likely Eusebian; see T. Barnes, ‘The Emperor Constantine’s Good Friday Sermon’, *JThS* 27 (1976), 414-23, at 418-21, reiterated in id. (n. 39), 124. Note too Inowlocki (n. 39), 63, on how in cases of polyphonic citation (where multiple authors are cited in the same regard, as here) the one named in the chapter title, in this case Trajan, is often intended as the dominant authority.

⁵² Note that κολάζεσθαι in the Greek translation of the *Apology* would allow the translation ‘corrected’ as well as ‘punished’.

⁵³ In Tertullian’s *Apology* Trajan had been characterized neutrally as an emperor who did not follow Nero and Domitian in their active targeting of Christians (*Apol.* 5.7).

Eusebius' selective quotation from Tertullian also helps him mould his audience's interpretation of the correspondence. He begins his quotation from Tertullian with the phrase, 'And yet we have found that even search for us has been prevented' (καίτοι εὐρήκαμεν καὶ τὴν εἰς ἡμᾶς ἐπιζήτησιν κεκωλυμένην, *EH* 3.33.3). Since this is preceded and succeeded by twin references to Trajan's insistence that Christians not be sought out, the reader is led to assume that precisely such a meaning for ἐπιζήτησιν is intended here. But in fact in Tertullian's original this clause comes immediately after his demand that the lies about Christians' supposed incest and cannibalism 'ought to be picked over in the same way [as other allegations]' (*aeque extorqueri oporteret, Apology* 2.5). A complaint about Roman failure to investigate the cases of Christians has become a celebration of Roman desire not to go looking for them. By carefully choosing the point at which to begin quoting and thus omitting what preceded it, Eusebius transforms Tertullian's mocking critique of Roman judicial procedure into a celebration of Christian protection by it.

Third, Eusebius follows Tertullian in assuming that the Pliny-Trajan correspondence was indicative of wider Roman practice. But he strengthens that impression by implying that it established a precedent of legal protection repeated by numerous subsequent emperors. Using a series of carefully framed citations from earlier Christian apologetic texts, Eusebius builds a series of interlinked edicts. After the Pliny-Trajan correspondence come a rescript of the emperor Hadrian (*EH* 4.9.1-3), one of Antoninus Pius (*EH* 4.12.1-13.7) and a statement that Marcus Aurelius took similar steps (*EH* 5.5.6-7). Where in reality there is little strong evidence that Trajan's rescript had an afterlife, for Eusebius' reader it established a powerful precedent of legal protection for Christians. The Pliny-Trajan correspondence became the foundation for a series of legal documents, all of which were evidence of Eusebius' overall claim that Christianity had always had a positive relationship with legitimate Roman

authority.

One example will suffice.⁵⁴ In Book 4 of the *Ecclesiastical History* Eusebius includes a supposed rescript of Hadrian he had found preserved at the end of Justin Martyr's *First Apology* (EH 4.8.6-9.3).⁵⁵ Hadrian, in a rescript to Minucius Fundanus (proconsul of Asia in 122-23), supposedly in response to a letter from Minucius' predecessor Serenius Granianus, prohibits condemnation in trials of Christians on the basis of mere uproar, and advocates stern dealings with frivolous accusations. The original intention of the rescript is not entirely clear,⁵⁶ but there is no justification for thinking that it echoes Trajan's precedent (not only is there no explicit reference to Trajan or a law of his, but this rescript differs in its legal details

⁵⁴ I will give this series of rescripts full treatment in a forthcoming monograph.

⁵⁵ A recent summary of the debate on its authenticity can be found in D.P. Minns, 'The Rescript of Hadrian', in S. Parvis and P. Foster (edd.), *Justin Martyr and His Worlds* (Minneapolis, 2007), 38-49.

⁵⁶ Apart from the rescript's dubious authenticity, we are hampered by not possessing Serenius Granianus' original letter to which Hadrian was supposedly responding. Scholars have suggested two readings: first, that the rescript concerns legal process only and makes no statement about Christianity's legal status; second, that Hadrian declares that Christians could only be prosecuted for other crimes, not for their Christianity. For a summary of the scholarship on the two positions, see P. Keresztes, 'The Emperor Hadrian's Rescript to Minucius Fundanus', *Phoenix* 21 (1967), 120-9 (reprinted in *Latomus* 26 [1967], 54-66). An earlier and less detailed discussion of the same issues is found in P. Keresztes, 'Law and Arbitrariness in the Persecution and Justin's First Apology' *VChr* 18 (1964), 208-14. D. Minns and P. Parvis, *Justin, Philosopher and Martyr: Apologies* (Oxford, 2009), 21-8, 44, concur. The former position is more likely.

from Trajan's).⁵⁷ Eusebius however encourages his audience to consider this rescript a continuation of *Letter* 10.97 by deliberately presenting it in similar fashion.

This is done through linguistic echoes and careful framing. Serenius Granianus, to whose missive Hadrian is supposedly responding, is described as 'that most distinguished governor' (λαμπροτάτου ἡγουμένου, *EH* 4.8.6), echoing Eusebius' description of Pliny (*EH* 3.33.1). Moreover, Eusebius implies that he knows the contents of Granianus' original letter, which he cannot, since his source was Justin who did not include it. Eusebius knew its contents no better than we do.⁵⁸ But he claims that Granianus wrote that 'it would not be just to kill them without a charge to gratify the people's clamour' (οὐ δίκαιον εἶη ἐπὶ μηδενὶ ἐγκλήματι βοαῖς δήμου χαριζομένους ἀκρίτως κτείνειν αὐτούς, *EH* 4.8.6). Eusebius thereby implies that the correspondence arose from a governor's attempt to elicit protection of Christians. That was, of course, exactly how he had encouraged his readers to read Pliny's correspondence with Trajan. Moreover on Eusebius's picture, Hadrian's response, like Trajan's, hopes to protect Christians. The chapter heading reads 'The Epistle of Hadrian that they must not hound us without due process' (Ἐπιστολὴ Ἀδριανοῦ ὑπὲρ τοῦ μὴ δεῖν ἀκρίτως ἡμᾶς ἐλαύνειν, *EH* 4.9). Eusebius thus claims this ambiguous rescript as a second document of toleration and works to tie it to that of Trajan (as he will do with those of Antoninus Pius and Marcus Aurelius).

Pliny's second reader thus took what he had found in the first and ran with it. In one way he inverted Tertullian's approach by implying that the letters were proof not that Christianity was unjustly singled out in Roman law, but that it was protected by it. In another way though

⁵⁷ Discussed in full in my own (n. 10); see too H. Nesselhauf, 'Hadrians Reskript an Minicius Fundanus', *Hermes* 104 (1976), 348–61.

⁵⁸ Noted by Keresztes (n. 56).

he built on his Christian predecessor's endeavour. The bombastic Tertullian, who might have read the letters in isolation or in their original collective, implied that letters were representative of wider Roman practice. The artful Eusebius, who had certainly read them in isolation, created an entirely new context for them, and carefully manipulated his sources until he had concrete evidence that this was so.

V. CONCLUSION

Pliny's two earliest attested interpreters likely did not engage with his letter collection as Pliny himself had intended. Both preserved only two letters that concerned their own special interest group. Pliny would no doubt have been disappointed with such limited initial readership, given his hopes for a lasting literary legacy (for example *Letter* 1.1). But quantity is not everything, and a man so skilled at co-opting and reshaping earlier material would perhaps have been impressed – if grudgingly – with the imaginative and influential use to which his letters were put.⁵⁹ We also should not mistake limited extent for limited scope. Despite only using two letters – or perhaps because of that fact – these two earliest interpreters provide a fresh perspective on the reception of Pliny's letters, and a powerful example of the interest and importance of late antique reuse of the classical past.

Pliny's *Letters*' first known reader, a rhetorically gifted Christian apologist in North Africa, exemplifies how much more influential a persuasive reader can be than an original author. Tertullian used *Letters* 10.96 and 10.97 as the basis of a mocking critique of the Roman

⁵⁹ Pliny's own abilities in this regard have become abundantly clear in recent years; see in particular I. Marchesi, *The Art of Pliny's Letters: A Poetics of Allusion in the Private Correspondence* (Cambridge, 2008).

judicial system. He saw them for what they were - a context-specific quick fix to urban unrest in an unimportant backwater of the Empire. He also saw exploitative potential in that procedure's anomalies and inconsistencies. But for the rhetoric to work he needed to suggest that this one example of piecemeal judicial procedure was in fact a universal Roman procedure. He achieved this by positioning the case study precisely where in a forensic treatise an audience would expect a *narratio*, and then by extrapolating broad principles about Roman law from the specifics of that case study. So convincing was the subtle satire that generations of readers have accepted as representative his picture of Rome's treatment of Christians. So influential was this reading that it has dictated subsequent interpretations of the original letters.

The second known individual to engage with Pliny's letters, a pioneering Christian historian in Palestine, exemplifies the remarkable flexibility with which readers can co-opt material to their own ends.⁶⁰ Eusebius knew the letters from his apologetic predecessor Tertullian, and though he is full of praise for him elsewhere (*EH* 2.2.4), he had no issue using the letters in a manner Tertullian would not have recognized. Eusebius saw an opportunity to demonstrate Christianity's importance on the imperial stage in its earliest days. But a well-remembered emperor like Trajan could not for Eusebius have been a persecutor. This 'best' emperor needed to have been an advocate of Christians.⁶¹ Through suggestive introduction and selective paraphrase Eusebius turned the Pliny-Trajan correspondence into evidence of

⁶⁰ This echoes the similar observation made for the late antique reception of Pliny's *Panegyricus* by Gibson and Rees (n. 2), 154-5.

⁶¹ See the discussion of Trajan's late antique legacy in Gibson and Rees (n. 2), 155-158, drawing upon R. Syme, *Emperors and Biography: Studies in the Historia Augusta* (Oxford, 1971), 89-112.

Rome's legal protection of Christians, the first in a series of similar legal documents. That misleading reading may not have fooled as many readers as did Tertullian's. But it contains the same interpretive traps. Both imply that Christianity and its beliefs were important to the Romans in the early second century. They were not. And both suggest that Trajan's reply had universal and continuing significance for the legal status of Christians. It need not have had either.

Closer attention to the late antique reception of Pliny's letters thus provides a new basis for reading Tertullian's *Apology* and an insight into the artistry of Eusebius' first Christian history. Properly understanding both authors' motivations and literary projects should prompt caution in how we use their writings to reconstruct early Christianity. And to return to Pliny's original letters, we have seen how twin misunderstandings are traceable to their highly stylized use by their two earliest readers. Tertullian reframed and inverted Pliny's *Letters*. Eusebius, over a century later, twisted Tertullian on an entirely different axis and took the letters a step further away from their original context. Their respective rereadings have directly impacted modern interpretations of the original letters. These two earliest readers thus strongly suggest that attention to the late antique reception of classical texts more widely is not a luxury but a desideratum.

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